

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI
APRIL 6 - 1949

This regular meeting of the City Council of the City of Lodi was called to order by the Mayor at 8:00 o'clock P.M. of Wednesday, April 6, 1949, Councilmen Bull, Haskell, Lytle, Tolliver and Rinn (Mayor) present, none absent.

Minutes of the last regular meeting held March 16th and of the Special Meeting held March 29th, 1949 were approved as written, copies having been mailed each Councilman and the City Manager prior to this meeting.

IMPROVEMENT OF
HIGHWAYS 4 &
24 FROM OLD
GAS TAX FUND

Mr R. V. Potter, City Projects Engineer, District X, Division of Highways, being in attendance, Mayor Rinn invited him to a seat at the Council table for a discussion of the problems involved in the expenditure of some \$81,900 accumulated from the former $\frac{1}{4}$ gasoline tax for state highways", particularly as relating to disposal of storm waters accumulating on Highways 4 and 24 and on adjacent areas now either drained into the city's storm drains or allowed to accumulate at low points on Highway 4. City Manager Weller explained the uses possible of the accumulated moneys and again exhibited the plans prepared by the State for improvements that would require use of most of the fund on both highways.

Mr Potter stated that the State had recalculated the cost of an 18" drain, open trench and pipe, from the intersection of the two highways to the Mokelumne River as \$9,900.00 and that the cost of the work on Victor Road (Highway 24) and on Cherokee Lane (Highway 4), exclusive of the drainage work, would be about \$72,000.00; also, that State engineers estimated that if gasoline tax moneys were diverted to the City for expenditure on its tributary storm drains serving these highways and other off highway lands, the State could only allow 7% of the cost of the city drains as its share for highway drainage.

Mayor Rinn suggested that the City and State proceed with the highway improvements as planned, omitting the drainage features for later construction, that is, to authorize the expenditure of about \$72,500.00 leaving a reserve for the drainage work of about \$9,900.00. Councilman Bull suggested that the work on Highway 24 be so apportioned that the contract would insure that a remainder on not less than \$9,900.00 would be left for the deferred work.

All members of the City Council agreeing, the City Manager was authorized to notify the Division of Highways by letter that this improvement be made in accordance with the above suggestions, the drainage problems to be subject to further negotiations.

SECOND SUPP-
LIMENT TO
MAINTENANCE
AGREEMENT
APPROVED

A second supplement to the Agreement for Maintenance of State Highways in Lodi having been submitted by the Division of Highways increasing the allocation of funds for Highway 4 to take care of electrical energy used in traffic signals, this agreement was approved by the adoption of Resolution No. 1460, introduced by Councilman Bull, Lytle second, and adopted without dissenting vote.

C.C.T.CO.
AGREEMENT
SACRAMENTO
STREET TRACK
APPROVED

The City Manager submitted and read an agreement executed by the Central California Traction Company providing that the City of Lodi would assume all obligations incurred by that Company under the franchise granted by Ordinance No. 55 on payment by the Company to the City of \$5,669.50. On motion of Councilman Tolliver, Haskell second, Resolution No. 1462 approving the City's execution of the above agreement and directing the Mayor to sign the same, was introduced and on a vote being had, Resolution No. 1462 was adopted by the following vote:

AYES: Councilmen, Tolliver, Haskell, Bull, Lytle and Rinn
NOES: Councilmen, None. ABSENT: None

LAKE PARK
BOATS

The City Manager was directed to advertise for bids for the boat concession at Lake Park, bids returnable April 20th

Mr Weller informed the Council that he was arranging a joint meeting with the Board of Supervisors and the City Council at such date as both bodies might find convenient

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GRAPE & WINE FESTIVAL FAMILY TICKETS - TAX Lodi Grape & Wine Festival, Inc. requested, by letter, that the tax for use of Lodi Stadium apply on primary (family) tickets at events which are part of its annual festival at 10¢ for each of these tickets instead of 10¢ per individual included in the persons sharing such tickets. It was moved by Councilman Haskell, Lytle second, that the 10¢ tax apply to these tickets for this year only.

RESIGNATION F.S.VAN ARSDALE FROM C.P.C. ACCEPTED The resignation of Mr Frank S. Van Arsdale as a member of the City Planning Commission, occasioned by his being appointed Secretary of Lodi Grape & Wine Festival, was read. On motion of Councilman Tolliver, Lytle second, Mr Van Arsdale's resignation was ordered accepted with the sincere regrets of the Council. The City Planning Commission was asked to submit a list from which a successor could be chosen.

LOADING ZONES The City Manager having received applications for "loading zones" at 312 and 314 East Lodi Avenue, he was directed to submit his recommendation as to their necessity at the next meeting

RES. NO. 1461 ADOPTED Resolution No. 1461 as prepared by the City Attorney, "Finding that a Certain Building and Site dedicated to Public Use be Disposed of and Conveyed and Declaring the Intention of the City Council of the City of Lodi to Dispose of the Same" was introduced by Councilman Bull, Haskell second, and then passed by the following vote:

AYES: Councilmen, Bull, Haskell, Lytle, Tolliver & Rinn.
NOES: Councilmen, None. ABSENT: None.

SALE OF "TIN BARN" PROPERTY CONDUCTED. At this time, Mayor Rinn announced that the City Council was ready to receive proposals for the purchase of the lot and building on the Southwest corner of Pleasant Avenue and Lockeford Street commonly known as the "Tin Barn Property". Mr Arthur Lind renewed his offer of \$5,000 which was raised by E.H.Kundert, bidding for an undisclosed client, to \$5,300, Lind countered by offering \$6,000 which P.W.Loewen raised to \$6,150, Mr Kundert offered \$6,500 raised by Lind to \$6,600. Mr Kundert then offered \$6,700 and deposited a check for \$1,000 as earnest money, stating that his client was buying for investment and would build to suit a tenant, continuing the present occupancy until such a tenant was secured. The property was then struck off and sold to Mr E. H. Kundert on his final bid of \$6,700, the seller and buyer to share cost of title insurance equally.

RES. 1464 ADOPTED AUTHORIZING SALE OF "TIN BARN PROPERTY" In furtherance of the above sale, Councilman Bull moved, Haskell second that Resolution No. 1464 "Authorizing Deed to D.W.Davis et ux to Land on the Southwest Corner of Pleasant Avenue and Lockeford Street" be adopted, Mr & Mrs Davis being the clients represented by Mr Kundert. Resolution No. 1464 then passed by the following vote:

AYES: Councilmen, Bull, Haskell, Lytle, Tolliver and Rinn
NOES: Councilmen, None. ABSENT: None.

At this time the City Manager reported receipt of eight bids on the proposed floodlighting of Lawrence Park Baseball Field and these bids were then publicly opened and declared -

		<u>Elect. Breaker</u>	<u>Manual Breaker</u>
BASEBALL FIELD FLOODLIGHTING BIDS OPENED	Reliable Elevator Works	\$ 11,107.00	\$ 14,815.00
	R. Goold & Son	11,107.00	11,082.00
	Peterson Engineering Co	19,110.00	18,450.00
	Wisner & Becker	19,397.16	18,635.16
	E.F. Hassbaum	15,436.13	15,341.13
	Electric Equipment Co.	11,298.00	11,268.00
	Collins Electrical Co.	12,777.00	12,666.00
	Main Electric Service		12,942.19
	Ets-Hokin & Galvan	13,400.00	13,275.00

All bids referred to the City Manager for checking and report.

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L.U.H.S.
CONTRACT
BASEBALL
LIGHTING
APPROVED

Several changes and clarifications in the submitted contract with Lodi Union High School and the Student Body of that School were read by Mr Weller and the same appearing logical and acceptable to the City, it was directed, on motion of Councilman Lytle, Tolliver second, that the amended contract with the above for the installation of floodlighting at Lawrence Park Baseball Field be executed by the Mayor and submitted to school authorities for their acceptance.

On production of proof of due publication of Notice to Bidders, in the usual manner, sealed bids on the construction of storm drains in Lockeford and Oak Streets were then publicly opened and declared, the total price bid by each bidder being as follows:

LOCKEFORD-
OAK STREET
STORM DRAIN
BIDS OPENED

R. Gould & Son	\$ 5,283.20
McGuire & Hester	6,465.10
O.R.Dahms Const.Co.	4,384.00
Karl C.Harmeling	3,559.74
William Burkhardt	4,146.20
Affel R. Johnson	6,106.40
E. R. Archibald	5,299.40
Matthew & Jorgenson	7,904.90

All bids referred to the City Manager for checking and report.

EXCHANGE LOT
7 FOR LOT 11
LAWRENCE
HOMESTEAD
BLOCK 7
AUTHORIZED.

The City Manager submitted a proposal of Lodi Post No. 22, American Legion to exchange Lot 7, Block 7, Lawrence Homestead Addition No. 2 for Lot 11 in the same Block. As this exchange would clear the reversed baseball field in Lawrence Park, it was directed by the adoption of Resolution No. 1463, introduced by Councilman Haskell, Bull second, that the Mayor execute all documents necessary to effect this exchange. Resolution adopted by the following vote:

AYES: Councilmen, Haskell, Bull, Lytle, Tolliver and Rinn
NOES: Councilmen, None. ABSENT: None.

STREETS IN
Morenz Tract

A proposal submitted by Attorney R. H. Mullen for his client Theodore Enzi relating to the improvement of streets in "Morenz Tract" was referred to the City Manager to negotiate an agreement wherein the subdivider would be given a period of time in which to secure the opening of James Street northerly and failing in this, be required to improve Allen Lane so that interior lot owners would have access to Loma Drive or ~~East~~ Mills Avenue.

HEARING SET
REZONING IN
BLK 40 MOKEL-
UMNE.

On the recommendation and report of the City Planning Commission, a public hearing was set for April 20, 1949 at 8:30 P.M. for the hearing of objections to the Commercial Zoning of Lot 8 and the Westerly 30 feet of Lot 7, Block 40, Mokelumne and the City Clerk directed to publish the notice required by law and ordinance.

GESKE
ROOMING HOUSE
LICENSE

An application of James Geske to conduct a rooming house at No. 104 North Sacramento Street was returned to the applicant with the direction that he submit an application in regular form under Ordinance No. 277 as required for this business.

CHIEF POLICE
REPORT-MARCH

The report of the Chief of Police for the month of March was received, read and ordered filed.

PUBLIC
HEARING
ZONING KNOLL
ADDN ETC
ORDINANCE 386
INTRODUCED

At this time, in accordance with notice regularly published, a public hearing on the initial zoning of Knoll Addition, Lots 15 & 22 Gerard Tract Addition, Costa Addition and of T. & D. Addition, recent annexations to the City, was held and conducted. No protests, either oral or written were offered, and on conclusion of this hearing, Councilman Tolliver, seconded by Councilman Lytle moved the introduction of Ordinance No 386, entitled "AMENDING THE ZONE DISTRICT MAP OF THE CITY OF LODI BY ADDING THERETO KNOLL ADDITION, LOTS 15 & 22 GERARD TRACT ADDITION, COSTA ADDITION, AND T & D ADDITION: CLASSIFYING AND ZONING THE PROPERTIES THEREIN IN THE MANNER HEREIN SET FORTH "

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No Councilman dissenting, Ordinance No. 386 was ordered to stand introduced and laid over for the statutory period of not less than five days.

ELECTRIC CODE
PLUMBING CODE
RETIREMENT PLAN
FOR APRIL 13TH.

After some discussion as to the necessity of adopting an Electrical Code and of amendments to the present Plumbing Code as well as to the advisability of initiating a retirement plan for City Employees, it was decided that these matters would consume too much time for inclusion in the agenda of a regular meeting and that the Council would meet in adjourned regular session at 7:30 P.M. of Wednesday, April 13th to consider these items.

ORDINANCE NO. 385
PASSED

ORDINANCE NO. 385 " AMENDING ORDINANCE NO. 238 (ZONING ORDINANCE) BY ALTERING THE BOUNDARY LINES OF CERTAIN ZONES AS DISPLAYED ON THE " ZONE DISTRICT MAP OF THE CITY OF LODI " AND RECLASSIFYING AND REZONING CERTAIN LOTS IN BLOCK 11, MOKELEUANE, NOW CITY OF LODI, TO BE IN THE COMMERCIAL DISTRICT ZONE " having been regularly introduced March 16th, 1949, was brought up for passage on motion of Councilman Lytle, Haskell second, second reading omitted by unanimous consent, and then finally passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Lytle, Haskell, Bull, Tolliver and Rinn
NOES: Councilmen, None. ABSENT: Councilmen, None.

Mayor Rinn then approved and signed the foregoing ordinance.

CLAIMS

Claims in the amount of \$53,227.31 as submitted and approved by the City Manager were allowed and ordered paid.

CHAMBER OF
COMMERCE
SUGGESTED STADIUM
POLICIES.

Lodi District Chamber of Commerce suggested that the City adopt a policy whereby but one collegiate football game could be held in the Stadium on any one week end. The City Council approved this suggestion in principal but not as a hard and fast rule, leaving determinations under such a general rule to the City Manager, with any deviations to be the subject of Council action. Another suggestion as to prohibiting professional football games in the Stadium was not approved.

MODESTO FALCONS

An application of the " Modesto Falcons " for use of the Stadium on September 9th for a football game was rejected as the present years calendar is practically full.

ADVERTISING
SIGNS

A proposal of Robert S. Miller requesting the privilege of placing advertising signs in the Stadium and in Lawrence Park Ballfield was tabled.

CONTRACT WITH
ST MARY'S
APPROVED

The agreement with St Mary's College covering the football game with Denver University in the Stadium on November 5th was submitted by the City Manager and on motion of Councilman Tolliver, Haskell second and carried, the Mayor was authorized to execute this contract.

VARIANCE OF
W. SOLARI
CHANGE IN USE
OF C. LADNER

On report and recommendation of the City Planning Commission, a variance to allow construction of an accessory garage over a City easement in the rear of 702 Turner Road was granted William Solari; also, Christ Ladner was permitted to change the present non-conforming use appertaining to Lots 2 and 3, Morenz Tract from animal hospital to grocery store


An application for use of the old Salem School lot for evangelical tent meetings was referred to the City Manager for determination of applicant's status as a local organization.

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REALTY BOARD A letter asking that the City Council rezone all of East Pine
RECOMMENDATION Street and all of West Lodi Avenue as Commercial property was
 referred to the City Planning Commission. This letter was
 signed by the President and Secretary of Lodi Realty Board.

ADJOURNMENT At 11:35 P.M. the City Council retired into executive session,
 returning to open meeting at 12:27 P.M. on Thursday, April 7th
 when adjournment was taken to 7:30 o'clock P.M. of Wednesday,
 April 13, 1949 on motion of Councilman Haskell.

Attest -


J. F. BLAKELY, City Clerk